

ATTACHMENT A

STYLE COMMITTEE MEETING 7-19-06

Proposed revisions to Ramseyered text:

- Proposal 27
- Proposal 28
- Proposal 33
- Proposal 36
- Proposal 55 Alternative A
- Proposal 55 Alternative B-1, Version 1
- Proposal 55 Alternative B-1, Version 2
- Proposal 55 Alternative B-2
- Proposal 75
- Proposal 91, Version 1
- Proposal 91, Version 2

PROPOSAL NO. 27, LIQUOR COMMISSION

- I. RCH Section 6-207. “Liquor Commission –“ (new text underlined) (to take effect July 1, 2007)

The organization and the duties and functions of the liquor commission of the City and County of Honolulu shall be as provided by law, except that the commission shall be attached to the department of budget and fiscal services. The positions of liquor administrator, deputy liquor administrator, and one secretary, shall be exempt from civil service in accordance with Section 6-1103, and shall be appointed and may be removed in accordance with this section.

The liquor commission shall appoint and may remove a liquor administrator, who shall serve as the administrative head of the commission staff and shall be subject to the policies and directions of the commission.

The liquor administrator may appoint and may remove a deputy liquor administrator who shall serve as the first deputy to the administrator, and may appoint and may remove a secretary in the exempt position.

The liquor administrator may hire and may remove other staff in accordance with applicable law. The salaries of the staff shall be set in accordance with applicable law.

- II. New subsection (k) to RCH Section 6-1103. “Civil Service and Executive Branch Exemptions —“ (to take effect July 1, 2007)

(k) Positions in the liquor commission of the liquor administrator, the deputy liquor administrator, and one secretary, but such positions shall be included in the position classification plan.

- III. New Section 16- _____. “Transition Provisions for Liquor Administrator and Deputy Liquor Administrator —“ (to take effect upon approval)

1. The civil service positions of the liquor administrator and of the deputy liquor administrator of the liquor commission shall be abolished as of the end of the day, June 30, 2007.

2. Effective July 1, 2007, the positions of the liquor administrator and the deputy liquor administrator shall be established in the liquor commission and shall be exempt from civil service.

3. Any employee holding a permanent civil service appointment on June 30, 2007 to the position of the liquor administrator of the liquor commission or to the position of deputy liquor administrator shall be afforded such rights under civil service rules as are applicable to those whose civil service position has been abolished. Nothing

in this section shall be construed as disqualifying such individuals from appointment after June 30, 2007 to the position of liquor administrator or deputy liquor administrator.

4. The liquor commission may select an individual for the exempt civil service position of liquor administrator prior to July 1, 2007, but the appointment to such position shall not take effect until July 1, 2007 or thereafter.

PROPOSAL NO. 28

Section 11-106, Revised Charter of Honolulu, would be amended as follows:

Section 11-106. Penalties and Disciplinary Action for Violations --

The failure to comply with or any violation of the standards of conduct established by this article of the charter or by ordinance shall be grounds for impeachment of elected officers and for the removal from office or from employment of all other officers and employees. The appointing authority may, upon the recommendation of the ethics commission, reprimand, put on probation, demote, suspend or discharge an employee found to have violated the standards of conduct established by this article of the charter or by ordinance. The ethics commission may also impose civil fines established by ordinance for violations of the standards of conduct committed by elected officers of the city.

Section 11-107, Revised Charter of Honolulu, would similarly be amended in the last paragraph as follows:

Section 11-107. Ethics Commission --

* * * *

The commission may impose civil fines established by ordinance against elected officers of the city found to have violated the standards of conduct established by this article of the charter or by ordinance. The commission shall recommend appropriate disciplinary action against officers and employees found to have violated the standards of conduct established by this article of the charter or by ordinance. The appointing authority shall promptly notify the commission of the action taken on the recommendation.

PROPOSAL NO. 33 (ESD) REVISION

Suggested Revision (revised in its entirety):

Section 6-603. Powers, Duties and Functions –

The director of emergency services shall:

(a) As to medical services:

(1) Be the primary provider of emergency medical care;

(2) Develop programs and provide training and educational programs related to emergency medical services and injury prevention.

(3) Be responsible for medical matters relating to public health and welfare.

(b) As to ocean safety:

(1) Be the primary responder to emergencies arising on the beach and in the near shore waters.

(2) Be responsible for ocean safety training, educational and risk reduction programs relating to ocean safety.

(c) Perform such duties as may be required by law.

PROPOSAL NO. 36 (HFD) REVISION

Suggested Revision:

Section 6-1004. Powers, Duties and Functions –

The fire chief shall:

(a) Perform fire fighting and rescue work in order to save lives, [and] property and the environment from fires [and from emergencies arising on the sea and hazardous terrain].

(b) Respond to emergencies arising on hazardous terrain and on the sea and hazardous material incidents.

(c) Provide emergency medical care.

[b](d) Train, equip, maintain and supervise a force of fire fighting and rescue personnel.

[c](e) Monitor the construction and occupancy standards of buildings for the purposes of fire prevention.

[d](f) Provide educational programs related to fire prevention.

[e](g) Appoint the deputy fire chief and the private secretaries to the fire chief and the deputy fire chief.

[f](h) Perform such other duties as may be required by law.

PROPOSAL NO. 55, ALTERNATIVE A

Eliminate term limits and staggering of council terms.

Section 3-102. Number, Election and Terms of Office of Councilmembers —

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16-___, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than two consecutive four-year terms.]

Section 13-116. City Elections —

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

Repeal Section 16-122 and insert new language:

Section 16- . Transitional Provisions for the Elimination of Councilmembers'

Term Limits and Staggered Terms —

1. Term limits for councilmembers and the staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section.

2. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII shall be eligible for election to a four-year regular term in 2010.

3. A person elected to serve as councilmember for council districts I, III, V, VII or IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009.

4. After the expiration of the two-year regular term for council districts I, III, V, VII or IX established by this section, the subsequent regular terms of the councilmembers of the odd-numbered council districts shall be subject to Section 3-102.

5. For the special elections held in 2010, councilmembers for all nine council districts shall be elected to four-year regular terms commencing on January 2, 2011, and thereafter shall be eligible for election to the office of councilmember without limit on the number of terms served in the office of councilmember.

PROPOSAL NO. 55, ALTERNATIVE B-1 (Prospective)

Limit council term limits to three consecutive four-year terms and eliminate staggering of council terms.

Section 3-102. Number, Election and Terms of Office of Councilmembers —

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16-, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122.] No person shall be elected to the office of councilmember for more than [two] three consecutive four-year terms.

Section 13-116. City Elections —

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

Repeal Section 16-122 and insert as new language:

Section 16- . Transitional Provisions for the Elimination of Councilmembers' Staggered Terms and the Extension of Term Limits From Two to Three Consecutive Terms —

1. The staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, councilmembers for all nine council districts shall be eligible for election to four-year terms commencing on January 2, 2011.

2. The extension of term limits from two to three consecutive four-year terms shall take effect at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, a person elected as councilmember shall be eligible for election to three consecutive four-year terms.

3. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII, shall be eligible for election to three consecutive four-year terms. A person elected as councilmember to a four-year regular term in 2006 in council districts II, IV, VI, and VIII shall be eligible for election to three consecutive four-year terms.

4. A person elected to serve as councilmember for council districts I, III, V, VII and IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009. After the expiration of the two-year regular term councilmembers for council districts I, III, V, VII and IX shall thereafter shall be eligible for election to three consecutive four-year terms.

PROPOSAL NO. 55, ALTERNATIVE B-1 (Prospective)

Limit council term limits to three consecutive four-year terms and eliminate staggering of council terms.

Section 3-102. Number, Election and Terms of Office of Councilmembers —

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16-, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122.] No person shall be elected to the office of councilmember for more than [two] three consecutive four-year terms.

Section 13-116. City Elections —

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

Repeal Section 16-122 and insert as new language:

Section 16- . Transitional Provisions for the Elimination of Councilmembers' Staggered Terms and the Extension of Term Limits From Two to Three Consecutive Terms —

1. The staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, councilmembers for all nine council districts shall be eligible for election to four-year terms commencing on January 2, 2011.

2. The extension of term limits from two to three consecutive four-year terms shall take effect at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, a person elected as councilmember shall be eligible for election to three consecutive four-year terms.

3. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII, shall thereafter be eligible for election to three consecutive four-year terms. A person elected as councilmember to a four-year regular term in 2006 in council districts II, IV, VI, and VIII shall thereafter be eligible for election to three consecutive four-year terms.

4. A person elected to serve as councilmember for council districts I, III, V, VII and IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009. After the expiration of the two-year regular term councilmembers for council districts I, III, V, VII and IX shall thereafter shall be eligible for election to three consecutive four-year terms.

PROPOSAL NO. 55, ALTERNATIVE B-2 (Retroactive)

Limit council term limits to three consecutive four-year terms and eliminate staggering of council terms.

Section 3-102. Number, Election and Terms of Office of Councilmembers —

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16-, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122.] No person shall be elected to the office of councilmember for more than [two] three consecutive four-year terms.

Section 13-116. City Elections —

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

Repeal Section 16-122 and insert as new language:

Section 16- . Transitional Provisions for the Elimination of Councilmembers' Staggered Terms and the Extension of Term Limits From Two to Three Consecutive Terms —

1. The staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, councilmembers for all nine council districts shall be eligible for election to four-year terms commencing on January 2, 2011.

2. The extension of term limits from two to three consecutive four-year terms shall take effect at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section.

3. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII, shall be subject to the three consecutive term limit and shall be eligible for election to a final four-year regular term in 2010. A person elected as councilmember to a four-year regular term in 2006 in council districts II, IV, VI and VIII, shall be subject to the three consecutive term limit and shall be eligible for election to two more consecutive four-year regular terms.

4. A person elected to serve as councilmember for council districts I, III, V, VII and IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009. After the expiration of the two-year regular term councilmembers for council districts I, III, V, VII and IX shall thereafter be eligible for election to three consecutive four-year terms.

PROPOSAL 75 TEXT

Section 11-107. Ethics Commission –

There shall be within the department of the corporation counsel for administrative purposes only an ethics commission which shall consist of seven members. The commission shall be governed by the provisions of Section 13-103 of this charter. In accordance with the prohibition in Article XIV of the Constitution of the State of Hawaii, the members of the ethics commission shall be prohibited from taking an active part in political management or in political campaigns.

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultants may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be fixed by ordinance.

The commission is authorized to hold hearings and to conduct investigations concerning the application of this article of the charter and shall have the powers provided in Section 13-114 of this charter.

The commission may, on its own initiative, render advisory opinions with respect to this article of the charter. Advisory opinion shall be rendered pursuant to a written request of any elected or appointed officer or employee concerned and may be rendered pursuant to the request of any person. The commission shall publish its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of the persons involved.

The commission shall recommend appropriate disciplinary action against officers and employees found to have violated the standards of conduct established by this article of the charter or by ordinance. The appointing authority shall promptly notify the commission of the action taken on the recommendation.

PROPOSAL NO. 91

Create a new section:

Section 9-204. Clean Water, Natural Lands and Affordable Housing Fund —

1. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent (1%) of the estimated real property tax revenues to a fund known as the Clean Water, Natural Lands and Affordable Housing Fund.

2. Half of the moneys in this fund, or 1/2% of the estimated real property tax revenues, shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. The other half of the moneys in this fund, or 1/2% of the estimated real property tax revenues, shall be used to provide and maintain affordable housing for persons earning less than 50% of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in this fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds. The

payment of principal, interest and premium, if any, includes bonds issued prior to enactment of this section.

5. At any given time, no more than five percent (5%) of this fund shall be used for administrative expenses.

6. Any balance remaining in this fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in this fund shall not be used for any purposes except those listed in this section.

7. The council shall by ordinance establish procedures for the administration and expenditure of moneys in this fund. The appropriations to this fund shall not substitute, but shall be in addition to, those appropriations historically made for the purposes stated in this section.

PROPOSAL NO. 91

Create a new section:

Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund –

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent (1%) of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than 50% of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the

purchase, redemption or refunding of such bonds. The payment of principal, interest and premium, if any, includes bonds issued prior to enactment of this section.

5. At any given time, no more than five percent (5%) of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The council shall by ordinance establish procedures for the administration and expenditure of moneys in each fund. The appropriations to each fund shall not substitute, but shall be in addition to, those appropriations historically made for the purposes stated in this section.